

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNILOC USA, INC. and UNILOC
LUXEMBOURG S.A.,

Plaintiffs,

v.

ALTAIR ENGINEERING, INC.,

Defendant.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 6:12-cv-806
(Consolidated Lead Case)

JURY TRIAL DEMANDED

**STIPULATED MOTION TO DISMISS DEFENDANT
ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(2) and (c), Plaintiffs Uniloc USA, Inc. and Uniloc Luxembourg S.A. (collectively, “Uniloc”) and Defendant Environmental Systems Research Institute, Inc. (“ESRI”) hereby move for an order dismissing all of Uniloc’s claims against ESRI with prejudice and dismissing all of ESRI’s counterclaims against Uniloc with prejudice, each Party to bear its own costs, expenses and attorneys’ fees.

Dated: March 20, 2013

Respectfully submitted,

/s/ Steven W. Hartsell
Edward E. Casto, Jr.
Lead Attorney
Barry J. Bumgardner
Texas State Bar No. 00793424
Steven W. Hartsell
Texas State Bar No. 24040199
Jaime K. Olin
Texas State Bar No. 24070363
NELSON BUMGARDNER CASTO, P.C.
3131 West 7th Street, Suite 300
Fort Worth, Texas 76107
Phone: (817) 377-9111
Fax: (817) 377-3485
ecast@nbclaw.net

/s/ Lauren E. Whittemore
Michael J. Sacksteder
Darryl M. Woo
Lauren E. Whittemore
Ravi R. Ranganath
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
415-875-2300
415-281-1350 – fax
msacksteder@fenwick.com
dwoo@fenwick.com
lwhittemore@fenwick.com
rranganath@fenwick.com

barry@nbclaw.net
shartsell@nbclaw.net
jolin@nbclaw.net

**ATTORNEYS FOR ENVIRONMENTAL
SYSTEMS RESEARCH INSTITUTE, INC.**

James Etheridge
Texas Bar No. 24059147
ETHERIDGE LAW GROUP, PLLC
2600 E. Southlake Blvd., Suite 120 / 324
Southlake, Texas 76092
Telephone: (817) 470-7249
Facsimile: (817) 887-5950
Jim@EtheridgeLaw.com

T. John Ward, Jr.
Texas State Bar No. 00794818
J. Wesley Hill
Texas State Bar No. 24032294
WARD & SMITH LAW FIRM
P.O. Box 1231
1127 Judson Road, Ste. 220
Longview, Texas 75606-1231
(903) 757-6400
(903) 757-2323 (fax)
jw@jwfirm.com
wh@jwfirm.com

**ATTORNEYS FOR PLAINTIFFS
UNILOC LUXEMBOURG S.A. AND
UNILOC USA, INC.**

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Plaintiffs and counsel for Defendant Environmental Systems Research Institute, Inc. have conferred regarding the matters addressed herein, have jointly submitted this Motion and consequently there is no opposition to the relief requested.

/s/ Steven W. Hartsell

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of March 2013, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Steven W. Hartsell